

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA, :
: :
PLAINTIFF, :
: :
v. : CIVIL ACTION NO. 2:06cv175-W
: :
TWO THOUSAND (\$2,000) DOLLARS :
IN UNITED STATES CURRENCY, :
: :
DEFENDANT. : :

MEMORANDUM IN SUPPORT OF
MOTION FOR ENTRY OF DECREE OF FORFEITURE

On or about February 24, 2006, the United States filed a Verified Complaint for Forfeiture In Rem pursuant to the provisions of Title 21, United States Code, Section 881(a)(6), seeking the forfeiture of **\$2,000 IN U.S. CURRENCY**. Upon the filing of said Complaint, the Clerk of the United States District Court for the Middle District of Alabama issued a warrant and summons for arrest in rem pursuant to Rule C(3), Supplemental Rules for Certain Admiralty and Maritime Claims, Federal Rules of Civil Procedure. On February 28, 2006, the United States Marshal executed said warrant and summons for arrest thereby seizing the defendant currency and taking said property into the custody of the United States.

Reasonable and extensive efforts were undertaken to locate and serve Alex Williams, from whom the currency was seized, in a manner consistent with the principles of service of process of an in rem action, and Alex Williams has failed to plea or otherwise defend as

required by law. Specifically, on February 28, 2006, the United States Marshals Service attempted service on Alex Williams at 214 Eastdale Road, South, Apartment G, Montgomery, Alabama 36117. The United States Marshals Service left a card in the door of the apartment. The current resident at the address called the United States Marshals Service and advised that Alex Williams did not reside at the address. Task force officers assigned to this investigation have also been unsuccessful in efforts to assist the United States in locating Alex Williams. Alex Williams is a fugitive and is on the run from law enforcement agents.

Actual notice of the forfeiture action and the arrest of the currency was provided to Bruce Maddox, attorney at law, by serving upon Mr. Maddox a copy of the complaint and a copy of the warrant and summons for arrest of property, and notice of arrest and seizure. Mr. Maddox assisted Alex Williams in filing an administrative claims for the defendant currency. Efforts by Mr. Maddox's office to locate Alex Williams have also been unsuccessful.

Additionally, the United States provided public notice of the action by publishing a detailed Public Notice of Arrest and Seizure in the Montgomery Advertiser newspaper (a newspaper of general circulation in the district and county in which this action is pending) on March 13, 20 and 27, 2006.

No claims or answers have been filed by any one, and the time for filing has now expired.

The United States has met its burden of establishing that said defendant currency constitutes proceeds traceable to the sale or exchange of controlled substances as set forth in its uncontested Verified Complaint for Forfeiture In Rem.

Accordingly, the United States respectfully moves the Court to enter a Decree of Forfeiture in this action forfeiting the defendant **\$2,000 IN U.S. CURRENCY** together with all interest earned, if any, on said currency during the pendency of this action. A proposed Decree of Forfeiture setting forth this information has been prepared for the convenience of the Court and is attached hereto.

Respectfully submitted this 12th day of May, 2006.

FOR THE UNITED STATES ATTORNEY
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